

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Tasha Marie McKenzie aka Tasha Marie
McKenzie-Hayes

Debtor(s)

PNC BANK, NATIONAL ASSOCIATION

Movant

v.

Tasha Marie McKenzie aka Tasha Marie McKenzie-
Hayes

Respondent

and

Ronda J. Winnecour, Trustee

Additional Respondent

BK. NO. 20-20364 JAD

CHAPTER 13

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

/s/ James C. Warmbrodt, Esquire

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Attorney for Movant/Applicant

Date: July 17, 2020

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**MOTION OF PNC BANK, NATIONAL ASSOCIATION
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 PURSUANT TO BANKRUPTCY PROCEDURE RULE 4001**

Movant, by its Attorney, KML Law Group, P.C., hereby requests a termination of the Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtor(s).

1. Movant is PNC BANK, NATIONAL ASSOCIATION.
2. Debtor(s), Tasha Marie McKenzie aka Tasha Marie McKenzie-Hayes, is/are the owner(s) of the premises located at 111 Lycoming Drive, Coraopolis, PA 15108, hereinafter known as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$134,330.00 on the mortgaged premises that was executed on March 26, 2012. Said mortgage was recorded on April 3, 2012 at Book M 40707, Page 425 in Allegheny County. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.
4. Movant has instituted or wishes to institute foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payment required thereunder.
5. As of July 1, 2020, the payoff amount due on the mortgage is \$121,802.19.
6. Debtor(s) is/are currently delinquent in payments to the Chapter 13 Trustee in the amount of \$29,399.94.

7. The total amount of post-petition arrearage is \$6,745.44. A total of \$6,745.44 has come due to movant from the date of filing, and the Chapter 13 Trustee has disbursed \$0.00 to movant for post-petition payments.

8. The total amount of pre-petition arrearage is \$10,028.72.

9. The fair market value of the premises is \$117,900.00.

10. The Senior Lien Holders on the premises are none.

11. The Junior Lien Holders on the premises are none.

12. The foreclosure proceeding filed or to be instituted were stayed by the filing of the instant Chapter 13 Petition.

13. Debtor(s) has/have no or inconsequential equity in the premises.

14. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

15. Movant has cause to have the Automatic Stay terminated as to permit Movant to complete foreclosure on its mortgage.

16. This motion and the averments contained therein do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant respectfully requests that this Court enter an Order modifying the Automatic Stay under Section 362 with respect to the mortgaged premises as to permit Petitioner to foreclose on its mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of said premises.

Date: July 17, 2020

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